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MEMO ENDORSED

March 10, 2010

VIA FACSIMILE

Honorable Colleen McMahon
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Moises Mendez v. Starwood Hotels & Resorts Worldwide, Inc.*
No. 08-Civ.-4967

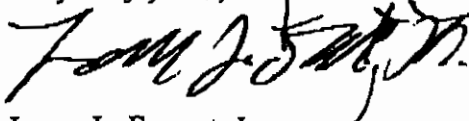
Dear Judge McMahon:

As counsel for Starwood Hotels & Resorts Worldwide, Inc., with no opposition from Plaintiff's counsel, Starwood respectfully requests clarification regarding your comments today after the jury verdict regarding post trial motion practice.

It is our understanding that both Rule 50 (b) and Rule 59 (b) of the Federal Rules of Civil Procedure were revised so that, effective December 1, 2009, parties have at least 28 days to file a motion for a judgment as a matter of law or a motion for a new trial, respectively. It appears that your Honor may have inadvertently suggested that 10 days is the statutory minimum for a motion for a judgment as a matter of law or a new trial pursuant to Rule 50 (b) or Rule 59 (b).

Accordingly, Starwood seeks the Court's clarification on this timing issue so the parties are properly aware of the parties' respective rights.

Very truly yours,


Loren L. Forrest, Jr.

I forgot about the
new rule. Some
28 days - but all your
papers are done in
28 days



3/10/10

cc (via email): Jamie E. Balanoff, Esq.
Kenneth P. Thompson, Esq.
Ariel Y. Graff, Esq.
Michael Starr, Esq.